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JUL 17 1980

July 16, 1980

STIPULATION AND CONSENT  
JUL 16 1980

Mr. Gary J. McInerney  
Murphy, Burns & McInerney, P.C.  
4000 Campau Square Building  
180 Monroe, N.W.  
Grand Rapids, MI 49503

RE: Kelley, et al v. Chemical Recovery Systems, Inc., et al  
Case No. 79-929-190-CE, Hon. Maureen P. Reilly

Dear Mr. McInerney:

This letter concerns the Stipulation and Consent Judgment entered in the above-referenced matter on May 16, 1980.

Enclosed you will find a copy of a July 14, 1980, Memorandum, written by Water Quality Specialists Tomas Leep and Daniel Schultz, of the DNR's Oil and Hazardous Materials Control Section, who are both responsible for monitoring Chemical Recovery System, Inc.'s compliance with the terms of the Stipulation and Consent Judgment. As is evident from their report, Chemical Recovery Systems, Inc. is, as of July 15, 1980, forty-five (45) days behind the Consent Judgment's Paragraph 1.B. time-table for removal of the East Pond, and seventy-five (75) days behind the Consent Judgment's Paragraph 4. time-table for complete modification of the groundwater intercept tile system. Further, I note that the slurry trench, which pursuant to the Consent Judgment's Paragraph 5. was to be completed by June 1, 1980, was not actually completed until June 24, 1980, evidently with sixty (60) feet of its north edge still needing repair to insure its integrity.

x c B. Bryson

USEPA

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While the DNR Memorandum notes that some delays (i.e., weather, need for additional tests, and Wayne Disposal's temporary shutdown) were not the fault of Chemical Recovery Systems, Inc., the company's failure to comply with the aforementioned paragraphs of the Consent Judgment cannot totally be attributed to such outside causes, and Chemical Recovery Systems, Inc.'s continued noncompliance will not be tolerated by the DNR or the Department of Attorney General.

I am informed by the DNR that the optimum time for DNR's conducting the Trouton Drain restoration, pursuant to Paragraph 3. of the Consent Judgment, will be on or about August 15, 1980. If, as of that date, Chemical Recovery Systems, Inc. continues to be in noncompliance with any provision of Paragraphs 1, 4, or 5 of the Consent Judgment, relating to, respectively, the completion of the removal of the East Pond, the modification of the groundwater intercept tile system, and the completion of the slurry trench, this Office will immediately seek appropriate relief from the Wayne County Circuit Court.

Very truly yours,



Roger A. Schwartz  
Assistant Attorney General  
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RAS/sje

Enclosure

cc Charles Lowther, City Attorney,  
City of Romulus (w/enc.)

bcc Paul Zugger  
Tomas Leep